

REMARKS/ARGUMENTS

The specification has been amended at several locations to correct the references to "metal layer 326S." There is no "metal layer 326S" in the drawings. Instead, the reference should have been to metal layer 326. The Applicant notes that since this application was allowed without an office action on the merits, the normal review of the application following an office action on the merits did not occur.

Claim 1 has been amended to delete the limitation requiring that the shield electrode be in electrical contact with the top electrode. As stated at page 6, lines 22-25, the shield region may be shorted to the top surface electrode or the shield region may be biased independently with a separate voltage source. The Examiner's Statement of Reasons for Allowance indicated that the specific location, conductivity type and particularly the dielectric sidewalls bounding the lateral sidewalls of the shield region were important in allowing the claims. There was no reference in the Statement to the connection between the shield electrode and the top electrode. Claim 1, as amended, is clearly allowable over the prior art cited in this case.

Claim 2 has been amended to change the reference from "control electrode" to "shield electrode." The phrase "control electrode" lacks antecedent basis.

New Claim 38 recites that "the shield electrode is in electrical contact with the top electrode." Claim 38 is similar to original Claim 1.

Should the Examiner have any questions concerning this amendment, the Examiner is invited to call the undersigned at (408) 982-8201.

CERTIFICATE OF MAILING BY "FIRST CLASS"

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the below date.



Attorney for Applicant(s)

4/26/05

Date of Signature

Respectfully submitted,



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